

REMARKS

The Examiner has rejected claims 1-5 and 8-15 under 35 U.S.C. 102(b) as being anticipated by European Patent Application No. EP0919906 A2 to Imagawa et al. In addition, the Examiner has rejected claims 6 and 7 under 35 U.S.C. 103(a) as being unpatentable over Imagawa et al. in view of U.S. Patent 5,721,583 to Harada et al.

The Imagawa et al. patent discloses a control method in which an apparatus controlled by the motion, position and conditions of a person, is able to distinguish a particular person associated with the apparatus from among a group of persons so that the apparatus may be controlled unambiguously.

The subject invention relates to the rendering of signals by a media player under the control of a user. However, depending on the content of the signals being rendered by the media player, the user may not wish other non-users entering the environment surrounding the media player to either see or hear. To that end, the subject invention, as claimed in claim 1, includes "determining at least one rule defining a predefined non-user event in an environment surrounding said media player, said rule including at least one condition and an action item to be performed to automatically adjust said media player when said at least one condition is satisfied", "analyzing input information characterizing a non-user event in the environment surrounding said media player to identify a current condition" and "performing said

action item if said current condition corresponds to said at least one condition of said at least one rule".

As noted in MPEP § 2131, it is well-founded that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Further, "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

From Imagawa et al., it is known that a plurality of users can define their own rules. According to Imagawa et al., first it is detected which user is present. Then, for the detected user, the possible events are displayed, and the user can activate the rules by providing these events by himself. Others (non-users) in the vicinity cannot activate the rules by providing events, as the events are associated with only the selected user. There is no connection between events of the user himself, and events of other (non-)users. Other non-users are not allowed to activate the rules defined by the identified user, and thus it is not possible, to define actions, which are carried out, when non-users other than the identified user are in the vicinity of the media player.

Applicants submit that the subject invention differs from Imagawa et al. in that it is also provided to define events, rules and conditions to perform action items on a media player, the

invention provides that the events relate to non-user activity, in particular, to a non-user appearing in the vicinity of said media player. A condition is identified by information characterizing the non-user event. In contrast to that, according to Imagawa et al., the condition is identified by information characterizing the identified user. Only if the identified user appears in the vicinity of the media player, can the identified user then activate certain actions. If other non-users appear in the vicinity of the media player, they cannot activate actions defined by such non-users. This difference provides the technical effect of enabling control of a media player by events, not relating to the person (i.e., identified user) who defines and controls these events. Therefore, it is the object of the invention to automatically adjust a media player in response to predefined non-user events.

The Harada et al. patent discloses an interactive television system for implementing electronic polling or providing user-requested services based on identification of users or of remote control apparatuses which have employed by respective users to communicate with the system, in which a recognized user is ascertained by the correspondence between the voice pattern data of the proposed user and the stored voice pattern data of the recognized user.

However, Applicants submit that when Harada et al. is combined with Imagawa et al., the resulting system only reacts when a recognized (authorized) user is ascertained. In the event that a non-user (unauthorized user) is detected, this system would ignore

the activities of "non-users" and only acknowledge the motions, positions and conditions of the user that is associated with the particular apparatus. In particular, motion by a non-user in the environment surrounding the apparatus of Harada et al./Imagawa et al. would have no effect on the apparatus in that the media player would only respond to motion of the user associated thereto.

In view of the above, Applicants believe that the subject invention, as claimed is neither anticipated nor rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1-15, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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